



### WARNING NOTICE

Washington State Liquor Control Board  
MIW  
1303 W. BROADWAY  
SPOKANE, WA 99201

Case No. 036D044

<b>DEFENDANT'S EXHIBIT</b>	
CASE NO.	C04-0360P
EXHIBIT NO.	552

Owner/Employee <b>Barnard-Griffin Inc.</b>		License Number <b>080522</b>	License Class <b>Domestic Winery</b>
Trade Name <b>Barnard Griffin</b>			
Address <b>878 Tulip Ln</b>		City <b>Richland 99352</b>	County <b>Benton</b>
Violation <b>WAC 314-24-190 Failure to Price Post</b> <b>WAC 314-24-040 Failure to obtain LCB label approval</b> <b>WAC 314-12-140 Entering into exclusive wine producing agreements with a retail liquor license.</b>			
Mailed to: <b>Robert Griffin</b>		Position <b>Owner</b>	Date & Time <b>10-17-03</b>
Date & Time of Violation <b>9-23-03</b>		Liquor Control Agent (Print) <b>Russ McCabe</b>	Liquor Control Agent (Signature)

### INVESTIGATIVE SUMMARY

8-03 Agent Cerrillo obtained information that Island Wine Company 076058, was contracting with Barnard Griffin Winery to have a particular group of wines made exclusively for them. I made contact with Robert Griffin at Barnard and he sent me relating documents. Premise visit was conducted 9-23-03, met with Griffin.

The following violations have been noted:

1. Barnard has been producing this private labeled wine (San Juan Cellars) for over 10 years without state label approval, or possibly expired approval.
2. LCB has no records that this label was ever price posted.
3. During 10-3-03 visit at Island wine company Cerrillo and I, without identifying ourselves, spoke with Kathryn Lawson Kerr and were informed that the Island Wine Company buys their own grapes each year, and contracts Barnard Griffin to exclusively do a custom crush with those grapes for Island Wine Company, up to 2,000 cases per year. This is also documented in their web site and on leaflet obtained at Island Wine Company. While a winery is allowed to do a private label for a retailer, the actual contracting of an exclusive custom crush between a retailer and a wholesaler falls under the prohibited practices.

While the private label may continue, the exclusive contracting of retailer purchased grapes must be discontinued in future arrangements. Also price posting and label approval for this product will be approved and recorded in the future. If Island Wine Company wishes to continue entering into grape purchasing a crush agreements, they may wish to consider obtaining a winery license.

Resp to Costco RFP  
1388